

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 21-00115-01-CR-W-HFS
)	
WENDELL TIALLO CLEMONS,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

PENDING CHARGE: On May 20, 2021, the Grand Jury returned a two-count Indictment charging Defendant Wendell Tiallo Clemons with forcibly resisting a federal law enforcement officer (Count One) and being a felon in possession of a firearm (Count Two).

The following matters were discussed and action taken during the pretrial conference:

TRIAL COUNSEL:

Government: Joseph M. Marquez and Stephanie Bradshaw
Case Agent: Lieutenant Gary Cross, VA Police Department
Defense: Melanie Susan Morgan and Kylie Mank

OUTSTANDING MOTIONS:

11/13/2023	view141	(Ex Parte) EX PARTE MOTION for Expert Funds by Wendell Tiallo Clemons. Suggestions in opposition/response due by 11/27/2023 unless otherwise directed by the court. (Morgan, Melanie) (Entered: 11/13/2023)
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TRIAL WITNESSES:

Government: 5-6 with stipulations; 6-7 without stipulations
Defendant: 3 witnesses, including the Defendant

TRIAL EXHIBITS:

Government: approximately 23 exhibits
Defendant: approximately 20 exhibits

DEFENSES: General denial

POSSIBLE DISPOSITION:

(X) Definitely for trial; () Possibly for trial; () Likely a plea will be worked out

TRIAL TIME: 2 days total

Government's case including jury selection: 1½ day(s)

Defendant: ½ day(s)

STIPULATIONS: The parties are discussing stipulations as to interstate nexus and prior convictions, but nothing has been finalized at this point.

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit List

Government: Proposed Witness and Exhibits Lists filed 12/27/22. **Updated list(s) due on or before November 21, 2023.**

Defendant: None filed. **Due on or before November 21, 2023.**

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, if required by the District Court, Voir Dire, Jury Instructions: Due on or before November 29, 2023.

Please Note: Jury instructions must comply with Local Rule 51.1

Motion in Limine: Due on or before November 29, 2023.

TRIAL SETTING: Criminal jury trial docket set for December 4, 2023.

Please note: Both the Government and Defense counsel request the first week of the docket due to witness availability (Lieutenant Cross will be in army training the second week of the docket) and defense counsel has prior commitments the second week.

IT IS SO ORDERED.

/s/ Lajuana M. Counts

LAJUANA M. COUNTS

UNITED STATES MAGISTRATE JUDGE